

# European Communities

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## EUROPEAN PARLIAMENT

# Working Documents

1980 - 1981

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16 April 1980

DOCUMENT 1-103/80

### MOTION FOR A RESOLUTION

tabled by Mrs ROUDY, Mr SCHWARTZENBERG, COLLA and GLINNE  
pursuant to Rule 25 of the Rules of Procedure

on the protection of private life  
- control of telephone tapping -

PE 64.775

The European Parliament,

- whereas, pursuant to Article 12 of the Universal Declaration of Human Rights (stipulating that there shall be no arbitrary interference in the private life of citizens) each individual is entitled to judicial protection against any such interference or activities,
  - having regard to the European Convention of Human Rights (in particular the principle of respect for private life ),
  - having regard to the OECD resolution of 22 July 1979,
  - noting that modern technology presents a serious threat to individual rights and in particular to the right to respect for private life,
  - noting that new techniques, the use of miniaturized devices and the proliferation of spying techniques facilitate interference in the private life of individuals,
  - noting that in certain Community countries, national legislation protects citizens against the abusive use of data-processing techniques,
  - having regard to Article 100 of the EEC Treaty on the harmonization of national legislative provisions,
  - believing that where such national legislative provisions exist, they must be not only harmonized but also improved,
  - considering that although the EEC is an economic and trading Community, it must be in a position to avoid undesirable secondary effects by protecting European citizens through uniform and effective general provisions on data-processing,
  - considering that the transmission of data must, as a matter of general principle, be governed by a legal basis and not by considerations of a technical nature,
1. Hopes that a debate will be held in the European Parliament on the abuse of data-processing;
  2. Is of the opinion that it is urgently necessary to adopt a Community directive which will not only harmonize at the highest level existing statutory provisions but will further improve them by ensuring that protection against such techniques is identical in the private and public sectors, extends to all personal information beyond national frontiers, stipulates an obligation to inform the person concerned and, where appropriate, provides for responsibility for damage suffered to be established;
  3. Considers it essential to create a Community juridical agency responsible for monitoring the application of the provisions contained in the directive and for regulating the procedures for the transmission of data.